

REMARKS

This is in response to the Office Action dated June 3, 2004.

The Examiner again rejected numerous claims under 102(b) as anticipated by Frederiksen alone. Other claims were rejected under 103(a) as being obvious in view of Frederiksen in view of Felzer. Still other claims were rejected under 103(a) as being obvious in view of Frederiksen in view of Seitz.

Claims 10, 11 and 32 were objected to as being dependent on a rejected base claim but would be allowable if rewritten in independent form. Claims 10 and 11 have been maintained dependent on claims 4 and 5, respectively, since claims 4 and 5, dependent on claim 1, are believed allowable for the reasons noted below. Likewise claim 32 has been maintained dependent on claim 30 since it is also believed allowable for the reasons noted below.

Independent claims 1, 12 and 23 have been amended and as such should now more clearly define over the references of record.

Claims 3-6, dependent on claim 1, as amended, have been amended and even more clearly define over the references of record.

Claims 2, 7, 8, 19, 27, 38 and 39 dependent on claim 1, should be allowable in view of the allowability of claim 1 for the reasons noted below.

Thus claims 13, 14 and 18, dependent on claim 12, as amended, are believed allowable for the reasons noted below. In this regard dependent claims 14 and 18 have been amended and thus even further define over the references of record.

Independent claims 30, 33 and 40 have not been amended and all define over the references of record for the reasons noted below. Claim 32, dependent on claim 30,

and claim 34, dependent on claim 33, have been amended and thus further define. Claim 32, dependent on claim 30, has been allowed but it is maintained in independent form since claim 30 is believed allowable as noted.

Independent claim 40, has not been amended, as it is believed allowable for the reasons noted below. Thus claims 41-44, dependent on claim 40 have not been amended and further define over the references.

Claim 51 has been newly added and is dependent on independent claim 1, noted to be allowable, and thus claim 51 is also allowable.

A. Frederiksen (Primary Reference)

As noted in the prior amendment, this reference (as well as the two secondary references) is in no way related to ramp systems for providing aerial lift for users of rideable wheeled recreational products. Here the ramps are wheelchairs primarily to facilitate movement over door thresholds (see page 1, line 5). The ramp is constructed of a "ramp element 2" and "a tile element 4"; both are of very minimal height to simply facilitate movement of a wheelchair over a door threshold. In this regard the height is noted as between 10-50 mm or 0.4-2.0 inches. The ramp structure of the present invention has modules (inclined and straight) of a substantially greater height, i.e. around 12 inches, which in a stacked condition would be around 24 inches. Clearly the Frederickson structure would not provide a desired aerial lift.

In Frederiksen the ramp 2 and tile element 4 are connected together end-to-end or side-by-side by separate coupling pieces 14 in cut-outs 12. In the present invention the end-to-end and side-by-side connections are made by integrally formed T-shaped projections and T-shaped grooves which can be selectively interconnected. This

facilitates assembly and disassembly and mobility of the system.

In this regard, it can be seen that the T-shaped projections and grooves facilitate securing the ramps together over a more evenly distributed area. Whereas Frederiksen provides securement over a limited section at the bottom of the modules. In addition you will note that in order to provide versatility in the connection of the different ramp modules, at least one T-shaped groove and one T-shaped projection is provided on the end surfaces and side surfaces of the modules. In other words, having only two T-shaped protrusions on each end would not permit two of the same ramp modules to be connected together.

In this regard, it should also be noted that the T-shaped projections and grooves facilitate connection of the ramp modules together in a stacked condition. The totally different structure of Frederiksen does not even remotely provide or suggest such structure.

For stacking, Frederiksen uses dowels 18, 18' in lined up holes 16. Here the dowels are inserted with a "snap-lock" and can be removed by "drilling out" through the "head parts 20". (See pg. 7, lines 18-26). Also the stacked members then could be separated by being broken up. Alternatively the stacked members can be connected by removable screw connections instead of dowels. Clearly these structures do not facilitate the relatively direct and convenient way of assembly and disassembly, without damage, of the modules as taught in the present invention.

On another point, it is clear that Frederiksen's ramp 2 are not inclined substantially over the full engageable length. While dimensions were not found in the specification a rough measurement of the drawings would show that the flat portion at

the end of the top of the ramp 2 would extend for around 20% of the overall length of the upper surface. When stacked, as in Figs. 3 and 4, the lower end of the ramp 2 would extend partially over the flat portion. But this would still leave around 10% of the overall length being flat. In addition the inclined surfaces of the two ramps 2 when stacked would be offset from each other with a parallel angular gap. This would result in a significant angular gap. If a stacked arrangement were provided, this would result in two angular gaps. In this regard see Figure 4 and a Modified Figure 4 which I prepared.

In addition to the above, the plurality of through holes 16 would appear to provide a surface which could be irregular and potentially subject to wear if recreational products were applied.

Clearly then the Frederiksen reference is inapplicable to applicants' ramp assemblies for rideable wheeled recreational products and it is equally inapplicable to modular systems as noted by the claims.

In this regard, your attention is directed to the notation in certain of the claims as follows:

“an inclined ramp module having an upper support surface which is inclined for substantially its full engageable riding length....”.

It should also be noted that in the present invention the lengths of the straight inclined modules are substantially equal. Clearly this is not the case in Frederiksen. This facilitates the formation of modular structures of varying configurations. See the language in some of the claims:

“said inclined ramp module and said straight ramp module being of substantially

the same length”.

Also note some of the claims as listing dimensions showing that.

Also in the present invention it is possible to provide a usable connection with the end of the inclined ramp connected to a side of the straight ramp. This is noted in some of the claims. Clearly this cannot be done in Frederiksen where the width of the modules is substantially greater than the length.

Let us now look to each of the secondary references.

B. Felzer

The Felzer patent was cited as showing a hollow ramp structure with a plurality of channels. This was cited by the Examiner in response to those claims which include reference to internal ribs.

First of all, Felzer is directed to an entirely different ramp structure for an entirely different purpose from the present invention as well as from Frederiksen.

Here the ramp is for a “Vehicle Lift” to provide a “drive-on type lift” for vehicles such as “an automobile or truck”. Here the upper “inclined surface” is provided with a top wall 21 having a deep “wheel-receiving recess 21b”. At the same time the hollow structure facilitates its use as a tool box.

At the same time the “spaced channels 30” provide deep indents in the inclined surface of the upper top wall 21.

Thus the top wall 21 is not uniform and would not be applicable for aerial lift for recreational products.

In addition, Felzer does not teach or suggest a modular construction including a straight module.

Clearly then Felzer is not related to the present invention nor is it related to the primary reference Frederiksen.

In this regard numerous of the claims have been amended to note that the:

“contour of said upper planar surface being substantially uniformly flat over its length, including the area where said some of said ribs extend inwardly from the bottom of said planar upper support surface.

C. Seitz

This patent is directed to a ramp assembly for wheelchairs or wheeled carts. Here all of the ramps are of a different size and adapted to be connected end-to-front to gradually increase the height.

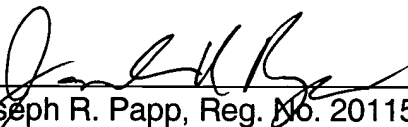
Here also the separate ramp modules are connected together by threaded bolts 56 in couplings 51-55, etc. and screws 58 through upper surfaces. This is totally different than applicants' structure as well as that of Frederiksen.

However, the Seitz patent was cited primarily as disclosing surface grooves 29 to provide anti-skid characteristics. In this regard it is acknowledged that it is known in the art to provide suitable non-skid surfaces and also to make components from various forms of plastic. However, it is submitted that claims 7 and 8 add these features to the unique combinations of elements in claim 1.

In regard to the above, it is believed clear that the citations *In re Hutchenson* and *Howard v. Detroit Stove Works* are totally inapplicable.

If the Examiner has any further questions about the allowability of all of the claims or any other matters, the Examiner is respectfully requested to call counsel for applicants prior to issuance of any further action in order to expedite further proceeding of this application.

Respectfully submitted,

By: 
Joseph R. Papp, Reg. No. 20115
HARNESSE, DICKEY & PIERCE, P.L.C.
Attorneys for Applicants

Dated: June 25, 2004

P.O. Box 828
Bloomfield Hills, Mi. 48303

2124A-000021

JRP/cvjk
Encl.